

STEWARDSHIP FUNDING POLICY

Louisiana Department of Wildlife and Fisheries
Natural Areas Registry



The donation of a **conservation servitude** is a major, long-term commitment for both the landowner and the Louisiana Department of Wildlife & Fisheries (LDWF). The landowner needs to be assured that LDWF is committed to and capable of ensuring that a cherished property will be forever protected. Conservation servitudes are an established legal tool to protect land for natural heritage values for generations to come.

When LDWF accepts a conservation servitude, the agency agrees to become partners with the landowner in order to protect and maintain the unique natural heritage values of the site. This agreement requires restriction of certain uses on the property in perpetuity. Current and all future landowners assume the legal responsibility to use the property in a manner consistent with the conservation servitude. To fulfill its responsibilities as holder of the servitude, LDWF inspects servitude properties at least once each year to be sure the natural heritage values are intact and no violations of the conservation restrictions have occurred. In addition, some conservation servitudes will have reserved rights that LDWF must review, approve, and monitor as they occur such as timber harvesting, road maintenance or other land management efforts. Unfortunately, violations do occur, and their likelihood increases as time passes and properties change hands. If a violation is discovered, LDWF must be prepared to take follow up action with the landowner to seek voluntary correction of the problem, and to defend the terms of the servitude if necessary.

Purpose of Stewardship Funding

LDWF maintains the Wildlife Habitat & Natural Heritage Trust Fund to cover the costs associated with stewardship of the servitudes it holds. The Wildlife Habitat & Natural Heritage Trust Fund was created by an Act of the LA Legislature (Acts 1988, No. 492, §1, eff. July 9, 1988) for the purpose of acquiring and properly managing natural areas in Louisiana for the benefit of our citizens and future generations. The Trust Fund is NOT used for general operating or other LDWF project expenses. This fund provides the agency with the financial resources necessary to ensure that:

- Each servitude property is physically monitored at least annually.
- Conditions of the land are documented in a written report with current maps, aerial and ground photos.
- The monitoring report is provided to the landowner with explanation and recommendations on any compliance matters.
- Technical experts, such as wildlife biologists or foresters within LDWF, can be utilized when necessary to confer on servitude management matters throughout the year.
- Regular contact is maintained with the landowner and subsequent owners are fully informed of the servitude terms.
- LDWF can take enforcement steps if necessary to be sure that use of the property is consistent with the servitude.

Your tax-deductible contribution to the Louisiana Wildlife Habitat & Natural Heritage Trust Fund will help ensure the protection of your land forever.

Trust Fund Donations

When considering the acceptance of a conservation servitude, LDWF suggests that landowners or other project supporters make a tax deductible gift to the Wildlife Habitat & Natural Heritage Trust Fund at the time of their servitude donation or sale. The minimum cost of completing one annual site visit, written easement monitoring report, photo inventory and necessary follow-up communication with the landowner is about \$500. A donation to the Stewardship Fund of \$10,000, earning 5 percent interest, will yield \$500 per year to cover LDWF expenses. If a donation is not possible at the time of the transaction, landowners are asked to consider pledging a future contribution which may be donated over several years or as a bequest. The agency also recognizes that not all landowners are able to make such a contribution, and will consider accepting a servitude without a Trust Fund gift in extraordinary circumstances.

When making a gift to the Trust Fund, donors are asked to consider the following complicating factors that may suggest a higher than minimum contribution:

- multiple parcels or ownership interests, or large property size
- degree of future development permitted on or adjacent to the servitude;
- extent of active agricultural, residential or recreational uses allowed on the property; and
- high levels of public access on or near the property.

LDWF staff can help assess which, if any, of these factors may apply to your property.

There are many ways of making a tax deductible gift to the Trust Fund. Some landowners choose to make a one-time cash gift at the time the servitude is signed, and others pledge gifts over a period of years. Income derived from sale of a portion of the property not included in the servitude, or sale of commodities from the property such as timber, may be used as a donation.

Management of the Trust

Donations to the Wildlife Habitat & Natural Heritage Trust Fund are pooled for administration and investment purposes. The secretary of the Department of Wildlife and Fisheries may accept funds from any source including public and private donations and grants which are to be deposited into the Trust. Monies in the Trust shall be invested as provided by law. All interest earned on investment of monies in the fund are deposited in and credited to the Trust. LDWF's goal is to build a fund that can pay out interest sufficient to cover the projected annual monitoring expenses for our servitudes now and into the future. The monies in the Trust are used solely in accordance with the terms and conditions of the Trust and only in the amounts appropriated each year by the legislature. Funds donated for servitudes will be assigned to a specific reporting category to be strictly used for monitoring and enforcement of servitudes. At the end of each fiscal year, all unexpended and unencumbered monies in the Trust shall remain in the Trust.

Responsible oversight of conservation servitudes is crucial to the success of any land protection program. When accepting a conservation servitude LDWF makes a serious commitment to protect the land and its resource values in perpetuity. Contributions to the Wildlife Habitat & Natural Heritage Trust Fund help us keep that commitment to you - the owner interested in voluntarily conserving your land.

Thank you.

Your tax-deductible contribution to the Louisiana Wildlife Habitat & Natural Heritage Trust Fund will help ensure the protection of your land forever.